

EXHIBIT A

1 MANATT, PHELPS & PHILLIPS, LLP
2 ROBERT H. PLATT (Bar No. CA 108533)
3 rplatt@manatt.com
4 MARK S. LEE (Bar No. CA 094103)
5 mlee@manatt.com
6 DONALD R. BROWN (Bar No. CA 156548)
7 dbrown@manatt.com
8 11355 West Olympic Boulevard
9 Los Angeles, CA 90064-1614
10 Telephone: (310) 312-4000
11 Facsimile: (310) 312-4224

12 Attorneys for *Plaintiff*
13 TICKETMASTER L.L.C.

14 UNITED STATES DISTRICT COURT
15 FOR THE CENTRAL DISTRICT OF CALIFORNIA

16 TICKETMASTER L.L.C., a Virginia
17 limited liability company,

18 Plaintiff,

19 vs.

20 RMG TECHNOLOGIES, INC., a
21 Delaware corporation, and DOES 1
22 through 10, inclusive,

23 Defendants.

No. CV 07-2534 ABC (JWJx)

**PLAINTIFF TICKETMASTER
L.L.C.'S RESPONSES TO RMG
TECHNOLOGIES, INC.'S
REQUESTS FOR PRODUCTION
OF DOCUMENTS (SET ONE)**

24 PROPOUNDING PARTY: RMG TECHNOLOGIES, INC., a Delaware
25 corporation

26 RESPONDING PARTY: TICKETMASTER L.L.C., a Virginia limited
27 liability company

28 SET NO.: ONE (1)

GENERAL OBJECTIONS AND STATEMENT

29 Ticketmaster L.L.C. ("Plaintiff" or "Ticketmaster") makes the
30 following objections to the entire First Set of Requests For Production of
31 Documents propounded by Defendant RMG Technologies, Inc.'s ("Defendant"):

1 1. This Response is subject to all objections ordinarily available if
2 such statements or documents were offered in court. All such objections are hereby
3 expressly reserved and may be interposed at the time of trial or at any other time.
4 By providing this Response, Ticketmaster is not making any incidental or implied
5 admissions regarding the content of any document requested. No response or
6 objection to any Request herein should be taken as an admission that Ticketmaster
7 admits the existence of any fact set forth in or assumed by the Request, or that such
8 response or objection constitutes admissible evidence. No response to any Request
9 is intended to be, nor shall any response be construed as, a waiver by Ticketmaster
10 of all or any part of any objection to any request.

11 2. Ticketmaster's research, discovery, and preparation for trial in
12 this matter is ongoing and is not yet complete. This Response is based upon the
13 current state of Ticketmaster's pre-trial preparation and the investigation that it has
14 conducted to date. Ticketmaster anticipates that its continuing discovery and
15 investigation may reveal information and documents not presently known to it,
16 upon which Ticketmaster may rely during trial. Accordingly, this Response is
17 made without prejudice to Ticketmaster's rights to produce documents at a later
18 date and to introduce them at the time of trial.

19 3. Ticketmaster objects to the "Definitions" and "Instructions" in
20 the Requests to the extent that they are inconsistent with and/or seek to impose
21 obligations beyond those imposed by the Federal Rules of Civil Procedure.

22 4. Ticketmaster objects to the "Definitions" and "Instructions" in
23 the Requests to the extent that they are vague, ambiguous, and unintelligible.

24 5. Ticketmaster objects to each Request to the extent it seeks
25 documents or information protected from discovery by the attorney-client privilege
26 or the attorney work product doctrine.

27 6. Ticketmaster objects to each Request to the extent it seeks to
28 discover trade secrets and/or any other private, sensitive, confidential, proprietary,

1 and/or commercial information, the disclosure of which could be damaging to the
2 business or property of Ticketmaster, Ticketmaster' customers or contractors, or
3 other related business entities.

4 7. Ticketmaster objects to each Request to the extent that it
5 violates the right of privacy of Plaintiff or any third party under the United States
6 Constitution, the California Constitution, and applicable statutes.

7 8. Ticketmaster objects to each Request to the extent it seeks the
8 disclosure or production of personal records regarding consumers without proper
9 notification to the consumer.

10 9. Ticketmaster objects to all the Requests to the extent that they
11 are vague, ambiguous, and unintelligible in that the manner in which specific
12 requests are phrased creates confusion given the issues involved in the litigation.

13 10. Ticketmaster objects to all the Requests to the extent they are
14 unduly burdensome and/or oppressive.

15 11. Ticketmaster objects to all the Requests to the extent they are
16 overbroad as to time or scope.

17 Each of the general responses and objections asserted above (the
18 "General Responses and Objections") applies to each Request where appropriate
19 and are incorporated into each of Ticketmaster's responses below as though set
20 forth in full.

21
22 **RESPONSES TO REQUESTS FOR PRODUCTION OF DOCUMENTS**
23 **REQUEST FOR PRODUCTION NO. 1:**

24 Any and all DOCUMENTS which refer, reflect or relate to YOUR method of
25 determining convenience charges for tickets sold on ticketmaster.com.
26
27
28

1 **RESPONSE TO REQUEST FOR PRODUCTION NO. 1:**

2 Plaintiff incorporates by reference each and every one of the General
3 Responses and Objections as though fully set forth herein. Plaintiff further objects
4 to this request because it seeks information neither relevant to the subject matter of
5 this litigation nor reasonably calculated to lead to the discovery of admissible
6 evidence. Plaintiff further objects to this request on the ground that it is vague and
7 ambiguous, including but not limited to the term "method". Plaintiff further objects
8 to this request to the extent it lacks foundation. Plaintiff further objects to this
9 request on the ground that it is compound, overbroad, unduly burdensome and
10 oppressive. Plaintiff further objects to this request on the ground that it seeks the
11 production of documents containing confidential, sensitive, proprietary,
12 commercial, business and financial information. Plaintiff further objects to this
13 request to the extent that it seeks documents protected by attorney-client privilege
14 or the work-product doctrine.

15
16 **REQUEST FOR PRODUCTION NO. 2:**

17 Any and all DOCUMENTS which refer, reflect or relate to all factors
18 considered by YOU in determining convenience charges for tickets purchased on
19 ticketmaster.com.

20 **RESPONSE TO REQUEST FOR PRODUCTION NO. 2:**

21 Plaintiff incorporates by reference each and every one of the General
22 Responses and Objections as though fully set forth herein. Plaintiff further objects
23 to this request because it seeks information neither relevant to the subject matter of
24 this litigation nor reasonably calculated to lead to the discovery of admissible
25 evidence. Plaintiff further objects to this request on the ground that it is vague and
26 ambiguous, including but not limited to the term "considered". Plaintiff further
27 objects to this request to the extent it lacks foundation. Plaintiff further objects to
28 this request on the ground that it is compound, overbroad, unduly burdensome and

1 oppressive. Plaintiff further objects to this request on the ground that it seeks the
2 production of documents containing confidential, sensitive, proprietary,
3 commercial, business and financial information. Plaintiff further objects to this
4 request to the extent that it seeks documents protected by attorney-client privilege
5 or the work-product doctrine.

6
7 **REQUEST FOR PRODUCTION NO. 3:**

8 Any and all DOCUMENTS which refer, reflect or relate to the identity of all
9 PERSONS involved in the decision making process of determining convenience
10 charges for tickets purchased on ticketmaster.com.

11 **RESPONSE TO REQUEST FOR PRODUCTION NO. 3:**

12 Plaintiff incorporates by reference each and every one of the General
13 Responses and Objections as though fully set forth herein. Plaintiff further objects
14 to this request because it seeks information neither relevant to the subject matter of
15 this litigation nor reasonably calculated to lead to the discovery of admissible
16 evidence. Plaintiff further objects to this request on the ground that it is vague and
17 ambiguous, including but not limited to the phrase "decision making process".
18 Plaintiff further objects to this request to the extent it lacks foundation. Plaintiff
19 further objects to this request on the ground that it is compound, overbroad, unduly
20 burdensome and oppressive. Plaintiff further objects to this request on the ground
21 that it seeks the production of documents containing confidential, sensitive,
22 proprietary, commercial, business and financial information. Plaintiff further
23 objects to this request to the extent that it seeks documents protected by attorney-
24 client privilege or the work-product doctrine.

25
26 **REQUEST FOR PRODUCTION NO. 4:**

27 Any and all DOCUMENTS which refer, reflect or relate to whether internet
28 security costs are factored into YOUR convenience charges.

1 **RESPONSE TO REQUEST FOR PRODUCTION NO. 4:**

2 Plaintiff incorporates by reference each and every one of the General
3 Responses and Objections as though fully set forth herein. Plaintiff further objects
4 to this request because it seeks information neither relevant to the subject matter of
5 this litigation nor reasonably calculated to lead to the discovery of admissible
6 evidence. Plaintiff further objects to this request on the ground that it is vague and
7 ambiguous, including but not limited to the phrases "internet security costs" and
8 "factored". Plaintiff further objects to this request to the extent it lacks foundation.
9 Plaintiff further objects to this request on the ground that it is compound,
10 overbroad, unduly burdensome and oppressive. Plaintiff further objects to this
11 request on the ground that it seeks the production of documents containing
12 confidential, sensitive, proprietary, commercial, business and financial information.
13 Plaintiff further objects to this request to the extent that it seeks documents
14 protected by attorney-client privilege or the work-product doctrine.

15 Subject to and without waiving the foregoing objections, Plaintiff responds
16 as follows: Convenience charges are based, among other things, on Plaintiff's cost
17 of doing business, which is in turn affected by the cost of, among other things,
18 Plaintiff's attempt to maintain a secure website. Plaintiff has conducted a diligent
19 search and reasonable inquiry during its effort to comply with this Request and has
20 no documents currently within its possession, custody or control that identify the
21 cost of attempting to maintain a secure website as a specific factor in determining
22 convenience charges.

23
24 **REQUEST FOR PRODUCTION NO. 5:**

25 Any and all DOCUMENTS which refer, reflect or relate to whether the costs
26 associated with paying YOUR information technology staff are factored into
27 YOUR convenience charges.

28

1 **RESPONSE TO REQUEST FOR PRODUCTION NO. 5:**

2 Plaintiff incorporates by reference each and every one of the General
3 Responses and Objections as though fully set forth herein. Plaintiff further objects
4 to this request because it seeks information neither relevant to the subject matter of
5 this litigation nor reasonably calculated to lead to the discovery of admissible
6 evidence. Plaintiff further objects to this request on the ground that it is vague and
7 ambiguous, including but not limited to the term "factored". Plaintiff further
8 objects to this request to the extent it lacks foundation. Plaintiff further objects to
9 this request on the ground that it is compound, overbroad, unduly burdensome and
10 oppressive. Plaintiff further objects to this request on the ground that it seeks the
11 production of documents containing confidential, sensitive, proprietary,
12 commercial, business and financial information. Plaintiff further objects to this
13 request to the extent that it seeks documents protected by attorney-client privilege
14 or the work-product doctrine.

15 Subject to and without waiving the foregoing objections, Plaintiff responds
16 as follows: Convenience charges are based, among other things, on Plaintiff's cost
17 of doing business, which is in turn affected by the cost of, among other things,
18 paying Plaintiff's information technology staff. Plaintiff has conducted a diligent
19 search and reasonable inquiry during its effort to comply with this Request and has
20 no documents currently within its possession, custody or control that identify the
21 cost of paying its information technology staff as a specific factor in determining
22 convenience charges.

23
24 **REQUEST FOR PRODUCTION NO. 6:**

25 Any and all DOCUMENTS which refer, reflect or relate to any research
26 which YOU conducted in determining convenience charges for tickets sold on
27 ticketmaster.com.
28

1 **RESPONSE TO REQUEST FOR PRODUCTION NO. 6:**

2 Plaintiff incorporates by reference each and every one of the General
3 Responses and Objections as though fully set forth herein. Plaintiff further objects
4 to this request because it seeks information neither relevant to the subject matter of
5 this litigation nor reasonably calculated to lead to the discovery of admissible
6 evidence. Plaintiff further objects to this request on the ground that it is vague and
7 ambiguous, including but not limited to the term "research". Plaintiff further
8 objects to this request to the extent it lacks foundation. Plaintiff further objects to
9 this request on the ground that it is compound, overbroad, unduly burdensome and
10 oppressive. Plaintiff further objects to this request on the ground that it seeks the
11 production of documents containing confidential, sensitive, proprietary,
12 commercial, business and financial information. Plaintiff further objects to this
13 request to the extent that it seeks documents protected by attorney-client privilege
14 or the work-product doctrine.

15
16 **REQUEST FOR PRODUCTION NO. 7:**

17 Any and all DOCUMENTS which refer, reflect or relate to any interviews
18 YOU gave to the media regarding the "Hannah Montana/Miley Cyrus Best of Both
19 Worlds" tour in the year 2007.

20 **RESPONSE TO REQUEST FOR PRODUCTION NO. 7:**

21 Plaintiff incorporates by reference each and every one of the General
22 Responses and Objections as though fully set forth herein. Plaintiff further objects
23 to this request because it seeks information neither relevant to the subject matter of
24 this litigation nor reasonably calculated to lead to the discovery of admissible
25 evidence. Plaintiff further objects to this request on the ground that it is vague and
26 ambiguous, including but not limited to the term "research". Plaintiff further
27 objects to this request on the ground that it is overbroad, unduly burdensome and
28

1 oppressive. Plaintiff further objects to this request to the extent that it seeks
2 documents protected by attorney-client privilege or the work-product doctrine.

3 Subject to and without waiving the foregoing objections, Plaintiff responds
4 as follows: Plaintiff will make all relevant, unprivileged responsive documents
5 available for inspection.

6
7 **REQUEST FOR PRODUCTION NO. 8:**

8 Any and all DOCUMENTS which refer, reflect or relate to any
9 communications that YOU have had with the Attorney General of Arkansas, Dustin
10 McDaniel.

11 **RESPONSE TO REQUEST FOR PRODUCTION NO. 8:**

12 Plaintiff incorporates by reference each and every one of the General
13 Responses and Objections as though fully set forth herein. Plaintiff further objects
14 to this request because it seeks information neither relevant to the subject matter of
15 this litigation nor reasonably calculated to lead to the discovery of admissible
16 evidence. Plaintiff further objects to this request on the ground that it is overbroad,
17 unduly burdensome and oppressive. Plaintiff further objects to this request to the
18 extent that it seeks documents protected by attorney-client privilege or the work-
19 product doctrine.

20 Subject to and without waiving the foregoing objections, Plaintiff responds
21 as follows: Plaintiff will make all relevant, unprivileged responsive documents
22 available for inspection.

23
24 **REQUEST FOR PRODUCTION NO. 9:**

25 Any and all DOCUMENTS which refer, reflect or relate to any
26 communications that YOU have had with the Attorney General of Missouri, Jay
27 Nixon.

RESPONSE TO REQUEST FOR PRODUCTION NO. 9:

Plaintiff incorporates by reference each and every one of the General Responses and Objections as though fully set forth herein. Plaintiff further objects to this request because it seeks information neither relevant to the subject matter of this litigation nor reasonably calculated to lead to the discovery of admissible evidence. Plaintiff further objects to this request on the ground that it is overbroad, unduly burdensome and oppressive. Plaintiff further objects to this request to the extent that it seeks documents protected by attorney-client privilege or the work-product doctrine.

Subject to and without waiving the foregoing objections, Plaintiff responds as follows: Plaintiff will make all relevant, unprivileged responsive documents available for inspection.

REQUEST FOR PRODUCTION NO. 10:

Any and all DOCUMENTS which refer, reflect or relate to the purpose of the CAPTCHA page on the ticketmaster.com website, including, but not limited to emails, internal memoranda, meeting notes, manuals, handbooks and training materials.

RESPONSE TO REQUEST FOR PRODUCTION NO. 10:

Plaintiff incorporates by reference each and every one of the General Responses and Objections as though fully set forth herein. Plaintiff further objects to this request on the ground that it is overbroad, unduly burdensome and oppressive. Plaintiff further objects to this request on the ground that it seeks the production of documents containing confidential, sensitive, proprietary, commercial, business and financial information. Plaintiff further objects to this request to the extent that it seeks documents protected by attorney-client privilege or the work-product doctrine.

1 Subject to and without waiving the foregoing objections, Plaintiff responds
2 as follows: Plaintiff will make all relevant, non-privileged responsive documents
3 available for inspection under mutually agreeable terms, following entry of a
4 mutually agreeable protective order.

5
6 **REQUEST FOR PRODUCTION NO. 11:**

7 Any and all DOCUMENTS which refer, reflect or relate to any copyrights
8 which YOU own in the ticketmaster.com website.

9 **RESPONSE TO REQUEST FOR PRODUCTION NO. 11:**

10 Plaintiff incorporates by reference each and every one of the General
11 Responses and Objections as though fully set forth herein. Plaintiff further objects
12 to this request to the extent it seeks information neither relevant to the subject
13 matter of this litigation nor reasonably calculated to lead to the discovery of
14 admissible evidence. Plaintiff further objects to this request on the ground that it is
15 overbroad, unduly burdensome and oppressive. Plaintiff further objects to this
16 request on the ground that it seeks the production of documents containing
17 confidential, sensitive, proprietary, commercial, business and financial information.
18 Plaintiff further objects to this request to the extent that it seeks documents
19 protected by attorney-client privilege or the work-product doctrine.

20 Subject to and without waiving the foregoing objections, Plaintiff responds
21 as follows: Plaintiff will make all relevant, non-privileged responsive documents
22 pertaining to the copyrights alleged in the operative complaint available for
23 inspection under mutually agreeable terms, following entry of a mutually agreeable
24 protective order.

25
26 **REQUEST FOR PRODUCTION NO. 12:**

27 Any and all DOCUMENTS which refer, reflect or relate to any claim that
28 YOU have made for loss of goodwill from January 1, 2002 to present, including,

1 but not limited to corporate tax returns, financial statements and profit and loss
2 statements.

3 **RESPONSE TO REQUEST FOR PRODUCTION NO. 12:**

4 Plaintiff incorporates by reference each and every one of the General
5 Responses and Objections as though fully set forth herein. Plaintiff further objects
6 to this request because it is vague, ambiguous and unintelligible, including but not
7 limited to the phrase "any claim that YOU have made for loss of goodwill."
8 Plaintiff further objects to this request to the extent it seeks information neither
9 relevant to the subject matter of this litigation nor reasonably calculated to lead to
10 the discovery of admissible evidence. Plaintiff further objects to this request on the
11 ground that it is overbroad, unduly burdensome and oppressive. Plaintiff further
12 objects to this request on the ground that it seeks the production of documents
13 containing confidential, sensitive, proprietary, commercial, business and financial
14 information. Plaintiff further objects to this request to the extent that it seeks
15 documents protected by attorney-client privilege or the work-product doctrine.

16
17 **REQUEST FOR PRODUCTION NO. 13:**

18 Any and all DOCUMENTS which refer, reflect or relate to any investigation
19 that YOU have performed regarding the use of "spiders" on the ticketmaster.com
20 website.

21 **RESPONSE TO REQUEST FOR PRODUCTION NO. 13:**

22 Plaintiff incorporates by reference each and every one of the General
23 Responses and Objections as though fully set forth herein. Plaintiff further objects
24 to this request because it seeks information neither relevant to the subject matter of
25 this litigation nor reasonably calculated to lead to the discovery of admissible
26 evidence. Plaintiff further objects to this request because it is vague and
27 ambiguous. Plaintiff further objects to this request on the ground that it is
28 overbroad, unduly burdensome and oppressive. Plaintiff further objects to this

1 request on the ground that it seeks the production of documents containing
2 confidential, sensitive, proprietary, commercial, business and financial information.
3 Plaintiff further objects to this request to the extent that it seeks documents
4 protected by attorney-client privilege or the work-product doctrine.

5 Subject to and without waiving the foregoing objections, Plaintiff responds
6 as follows: Plaintiff will make all relevant, non-privileged responsive documents
7 available for inspection under mutually agreeable terms, following entry of a
8 mutually agreeable protective order.

9
10 **REQUEST FOR PRODUCTION NO. 14:**

11 Any and all DOCUMENTS which refer, reflect or relate to any investigation
12 that YOU have performed regarding the use of "robots" on the ticketmaster.com
13 website.

14 **RESPONSE TO REQUEST FOR PRODUCTION NO. 14:**

15 Plaintiff incorporates by reference each and every one of the General
16 Responses and Objections as though fully set forth herein. Plaintiff further objects
17 to this request because it seeks information neither relevant to the subject matter of
18 this litigation nor reasonably calculated to lead to the discovery of admissible
19 evidence. Plaintiff further objects to this request because it is vague and
20 ambiguous. Plaintiff further objects to this request on the ground that it is
21 overbroad, unduly burdensome and oppressive. Plaintiff further objects to this
22 request on the ground that it seeks the production of documents containing
23 confidential, sensitive, proprietary, commercial, business and financial information.
24 Plaintiff further objects to this request to the extent that it seeks documents
25 protected by attorney-client privilege or the work-product doctrine.

26 Subject to and without waiving the foregoing objections, Plaintiff responds
27 as follows: Plaintiff will make all relevant, non-privileged responsive documents
28

1 available for inspection under mutually agreeable terms, following entry of a
2 mutually agreeable protective order.

3
4 **REQUEST FOR PRODUCTION NO. 15:**

5 Any and all DOCUMENTS which refer, reflect or relate to any investigation
6 that YOU have performed regarding the use of "bots" on the ticketmaster.com web
7 site.

8 **RESPONSE TO REQUEST FOR PRODUCTION NO. 15:**

9 Plaintiff incorporates by reference each and every one of the General
10 Responses and Objections as though fully set forth herein. Plaintiff further objects
11 to this request because it seeks information neither relevant to the subject matter of
12 this litigation nor reasonably calculated to lead to the discovery of admissible
13 evidence. Plaintiff further objects to this request because it is vague and
14 ambiguous. Plaintiff further objects to this request on the ground that it is
15 overbroad, unduly burdensome and oppressive. Plaintiff further objects to this
16 request on the ground that it seeks the production of documents containing
17 confidential, sensitive, proprietary, commercial, business and financial information.
18 Plaintiff further objects to this request to the extent that it seeks documents
19 protected by attorney-client privilege or the work-product doctrine.

20 Subject to and without waiving the foregoing objections, Plaintiff responds
21 as follows: Plaintiff will make all relevant, non-privileged responsive documents
22 available for inspection under mutually agreeable terms, following entry of a
23 mutually agreeable protective order.

24
25 **REQUEST FOR PRODUCTION NO. 16:**

26 Any and all DOCUMENTS which refer, reflect or relate to any investigation
27 that YOU have performed regarding the use of "automatic devices" on the
28 ticketmaster.com website.

RESPONSE TO REQUEST FOR PRODUCTION NO. 16:

Plaintiff incorporates by reference each and every one of the General Responses and Objections as though fully set forth herein. Plaintiff further objects to this request because it seeks information neither relevant to the subject matter of this litigation nor reasonably calculated to lead to the discovery of admissible evidence. Plaintiff further objects to this request because it is vague and ambiguous. Plaintiff further objects to this request on the ground that it is overbroad, unduly burdensome and oppressive. Plaintiff further objects to this request on the ground that it seeks the production of documents containing confidential, sensitive, proprietary, commercial, business and financial information. Plaintiff further objects to this request to the extent that it seeks documents protected by attorney-client privilege or the work-product doctrine.

Subject to and without waiving the foregoing objections, Plaintiff responds as follows: Plaintiff will make all relevant, non-privileged responsive documents available for inspection under mutually agreeable terms, following entry of a mutually agreeable protective order.

REQUEST FOR PRODUCTION NO. 17:

Any and all DOCUMENTS which refer, reflect or relate to any investigation that YOU have performed regarding the use of "automated processes" on the ticketmaster.com website.

RESPONSE TO REQUEST FOR PRODUCTION NO. 17:

Plaintiff incorporates by reference each and every one of the General Responses and Objections as though fully set forth herein. Plaintiff further objects to this request because it seeks information neither relevant to the subject matter of this litigation nor reasonably calculated to lead to the discovery of admissible evidence. Plaintiff further objects to this request because it is vague and ambiguous. Plaintiff further objects to this request on the ground that it is

1 overbroad, unduly burdensome and oppressive. Plaintiff further objects to this
2 request on the ground that it seeks the production of documents containing
3 confidential, sensitive, proprietary, commercial, business and financial information.
4 Plaintiff further objects to this request to the extent that it seeks documents
5 protected by attorney-client privilege or the work-product doctrine.

6 Subject to and without waiving the foregoing objections, Plaintiff responds
7 as follows: Plaintiff will make all relevant, non-privileged responsive documents
8 available for inspection under mutually agreeable terms, following entry of a
9 mutually agreeable protective order.

10
11 **REQUEST FOR PRODUCTION NO. 18:**

12 Any and all DOCUMENTS which refer, reflect or relate to any investigation
13 that YOU have performed with respect to RMG Technologies, Inc., a Delaware
14 corporation.

15 **RESPONSE TO REQUEST FOR PRODUCTION NO. 18:**

16 Plaintiff incorporates by reference each and every one of the General
17 Responses and Objections as though fully set forth herein. Plaintiff further objects
18 to this request to the extent it seeks information neither relevant to the subject
19 matter of this litigation nor reasonably calculated to lead to the discovery of
20 admissible evidence. Plaintiff further objects to this request on the ground that it is
21 vague and ambiguous. Plaintiff further objects to this request on the ground that it
22 is overbroad, unduly burdensome and oppressive. Plaintiff further objects to this
23 request on the ground that it seeks the production of documents containing
24 confidential, sensitive, proprietary, commercial, business and financial information.
25 Plaintiff further objects to this request to the extent that it seeks documents
26 protected by attorney-client privilege or the work-product doctrine.

27 Subject to and without waiving the foregoing objections, Plaintiff responds
28 as follows: Plaintiff will make all relevant, non-privileged responsive documents

1 available for inspection under mutually agreeable terms, following entry of a
2 mutually agreeable protective order.

3
4 **REQUEST FOR PRODUCTION NO. 19:**

5 Any and all DOCUMENTS which refer, reflect or relate to RMG
6 Technologies, Inc., a Delaware corporation.

7 **RESPONSE TO REQUEST FOR PRODUCTION NO. 19:**

8 Plaintiff incorporates by reference each and every one of the General
9 Responses and Objections as though fully set forth herein. Plaintiff further objects
10 to this request to the extent that it seeks information neither relevant to the subject
11 matter of this litigation nor reasonably calculated to lead to the discovery of
12 admissible evidence. Plaintiff further objects to this request on the ground that it is
13 vague and ambiguous. Plaintiff further objects to this request on the ground that it
14 is overbroad, unduly burdensome and oppressive. Plaintiff further objects to this
15 request on the ground that it seeks the production of documents containing
16 confidential, sensitive, proprietary, commercial, business and financial information.
17 Plaintiff further objects to this request to the extent that it seeks documents
18 protected by attorney-client privilege or the work-product doctrine.

19 Subject to and without waiving the foregoing objections, Plaintiff responds
20 as follows: Plaintiff will make all relevant, non-privileged responsive documents
21 available for inspection under mutually agreeable terms, following entry of a
22 mutually agreeable protective order.

23
24 **REQUEST FOR PRODUCTION NO. 20:**

25 Any and all DOCUMENTS which refer, reflect or relate to any
26 communications between YOU and Chris Kovach.

1 **RESPONSE TO REQUEST FOR PRODUCTION NO. 20:**

2 Plaintiff incorporates by reference each and every one of the General
3 Responses and Objections as though fully set forth herein. Plaintiff further objects
4 to this request because it seeks information neither relevant to the subject matter of
5 this litigation nor reasonably calculated to lead to the discovery of admissible
6 evidence. Plaintiff further objects to this request on the ground that it is overbroad,
7 unduly burdensome and oppressive. Plaintiff further objects to this request on the
8 ground that it violates the right to privacy of a third party. Plaintiff further objects
9 to this request to the extent that it seeks documents protected by attorney-client
10 privilege or the work-product doctrine.

11 Subject to and without waiving the foregoing objections, Plaintiff responds
12 as follows: Plaintiff will make all relevant, non-privileged responsive documents
13 available for inspection under mutually agreeable terms, following entry of a
14 mutually agreeable protective order.

15
16 **REQUEST FOR PRODUCTION NO. 21:**

17 Any and all DOCUMENTS which refer, reflect or relate to the settlement
18 agreement between YOU and Chris Kovach, as referenced in YOUR motion for
19 preliminary injunction in this matter.

20 **RESPONSE TO REQUEST FOR PRODUCTION NO. 21:**

21 Plaintiff incorporates by reference each and every one of the General
22 Responses and Objections as though fully set forth herein. Plaintiff further objects
23 to this request to the extent it seeks information neither relevant to the subject
24 matter of this litigation nor reasonably calculated to lead to the discovery of
25 admissible evidence. Plaintiff further objects to this request on the ground that it is
26 overbroad, unduly burdensome and oppressive. Plaintiff further objects to this
27 request on the ground that it violates the right to privacy of a third party. Plaintiff
28

1 further objects to this request to the extent that it seeks documents protected by
2 attorney-client privilege or the work-product doctrine.

3 Subject to and without waiving the foregoing objections, Plaintiff responds
4 as follows: Plaintiff will make all relevant, non-privileged responsive documents
5 available for inspection under mutually agreeable terms, following entry of a
6 mutually agreeable protective order.

7
8 **REQUEST FOR PRODUCTION NO. 22:**

9 Any and all DOCUMENTS which refer, reflect or relate to any purchase of
10 tickets that Chris Kovach or anyone on his behalf made on ticketmaster.com prior
11 to May of 2007.

12 **RESPONSE TO REQUEST FOR PRODUCTION NO. 22:**

13 Plaintiff incorporates by reference each and every one of the General
14 Responses and Objections as though fully set forth herein. Plaintiff further objects
15 to this request to the extent that it seeks information neither relevant to the subject
16 matter of this litigation nor reasonably calculated to lead to the discovery of
17 admissible evidence. Plaintiff further objects to this request on the ground that it is
18 overbroad, unduly burdensome and oppressive. Plaintiff further objects to this
19 request on the ground that it seeks the production of documents containing
20 confidential, sensitive, proprietary, commercial, business and financial information.
21 Plaintiff further objects to this request on the ground that it violates the right to
22 privacy of a third party. Plaintiff further objects to this request to the extent that it
23 seeks documents protected by attorney-client privilege or the work-product
24 doctrine.

25 Subject to and without waiving the foregoing objections, Plaintiff responds
26 as follows: Plaintiff will make all relevant, non-privileged responsive documents
27 available for inspection under mutually agreeable terms, following entry of a
28 mutually agreeable protective order.

1
2 **REQUEST FOR PRODUCTION NO. 23:**

3 Any and all DOCUMENTS which refer, reflect or relate to any purchase of
4 tickets that Chris Kovach or anyone on his behalf made on ticketmaster.com
5 subsequent to May of 2007.

6 **RESPONSE TO REQUEST FOR PRODUCTION NO. 23:**

7 Plaintiff incorporates by reference each and every one of the General
8 Responses and Objections as though fully set forth herein. Plaintiff further objects
9 to this request because it seeks information neither relevant to the subject matter of
10 this litigation nor reasonably calculated to lead to the discovery of admissible
11 evidence. Plaintiff further objects to this request on the ground that it seeks the
12 production of documents containing confidential, sensitive, proprietary,
13 commercial, business and financial information. Plaintiff further objects to this
14 request on the ground that it violates the right to privacy of a third party. Plaintiff
15 further objects to this request to the extent that it seeks documents protected by
16 attorney-client privilege or the work-product doctrine.

17
18 **REQUEST FOR PRODUCTION NO. 24:**

19 Any and all DOCUMENTS which refer, reflect or relate to the first time
20 YOU learned that RMG's devices were allegedly being used on ticketmaster.com.

21 **RESPONSE TO REQUEST FOR PRODUCTION NO. 24:**

22 Plaintiff incorporates by reference each and every one of the General
23 Responses and Objections as though fully set forth herein. Plaintiff further objects
24 to this request to the extent that it seeks information neither relevant to the subject
25 matter of this litigation nor reasonably calculated to lead to the discovery of
26 admissible evidence. Plaintiff further objects to this request on the ground that it is
27 vague and ambiguous, including but not limited to the phrase "RMG's devices."
28 Plaintiff further objects to this request on the ground that it seeks the production of

1 documents containing confidential, sensitive, proprietary, commercial, business and
2 financial information. Plaintiff further objects to this request to the extent that it
3 seeks documents protected by attorney-client privilege or the work-product
4 doctrine.

5 Subject to and without waiving the foregoing objections, Plaintiff responds
6 as follows: Plaintiff will make all relevant, non-privileged responsive documents
7 available for inspection under mutually agreeable terms, following entry of a
8 mutually agreeable protective order.

9
10 **REQUEST FOR PRODUCTION NO. 25:**

11 Any and all DOCUMENTS which refer, reflect or relate to any technological
12 measure that YOU have taken to stop the use of "spiders" on the ticketmaster.com
13 website.

14 **RESPONSE TO REQUEST FOR PRODUCTION NO. 25:**

15 Plaintiff incorporates by reference each and every one of the General
16 Responses and Objections as though fully set forth herein. Plaintiff further objects
17 to this request because it seeks information neither relevant to the subject matter of
18 this litigation nor reasonably calculated to lead to the discovery of admissible
19 evidence. Plaintiff further objects to this request on the ground that it is overbroad,
20 unduly burdensome and oppressive. Plaintiff further objects to this request on the
21 ground that it seeks the production of documents containing confidential, sensitive,
22 proprietary, commercial, business and financial information. Plaintiff further
23 objects to this request to the extent that it seeks documents protected by attorney-
24 client privilege or the work-product doctrine.

25 Subject to and without waiving the foregoing objections, Plaintiff responds
26 as follows: Plaintiff will make all relevant, non-privileged responsive documents
27 available for inspection under mutually agreeable terms, following entry of a
28 mutually agreeable protective order.

1
2 **REQUEST FOR PRODUCTION NO. 26:**

3 Any and all DOCUMENTS which refer, reflect or relate to any technological
4 measure that YOU have taken to stop the use of "robots" on the ticketmaster.com
5 website.

6 **RESPONSE TO REQUEST FOR PRODUCTION NO. 26:**

7 Plaintiff incorporates by reference each and every one of the General
8 Responses and Objections as though fully set forth herein. Plaintiff further objects
9 to this request because it seeks information neither relevant to the subject matter of
10 this litigation nor reasonably calculated to lead to the discovery of admissible
11 evidence. Plaintiff further objects to this request on the ground that it is overbroad,
12 unduly burdensome and oppressive. Plaintiff further objects to this request on the
13 ground that it seeks the production of documents containing confidential, sensitive,
14 proprietary, commercial, business and financial information. Plaintiff further
15 objects to this request to the extent that it seeks documents protected by attorney-
16 client privilege or the work-product doctrine.

17 Subject to and without waiving the foregoing objections, Plaintiff responds
18 as follows: Plaintiff will make all relevant, non-privileged responsive documents
19 available for inspection under mutually agreeable terms, following entry of a
20 mutually agreeable protective order.

21
22 **REQUEST FOR PRODUCTION NO. 27:**

23 Any and all DOCUMENTS which refer, reflect or relate to any technological
24 measure that YOU have taken to stop the use of "bots" on the ticketmaster.com
25 website.
26
27
28

RESPONSE TO REQUEST FOR PRODUCTION NO. 27:

Plaintiff incorporates by reference each and every one of the General Responses and Objections as though fully set forth herein. Plaintiff further objects to this request because it seeks information neither relevant to the subject matter of this litigation nor reasonably calculated to lead to the discovery of admissible evidence. Plaintiff further objects to this request on the ground that it is overbroad, unduly burdensome and oppressive. Plaintiff further objects to this request on the ground that it seeks the production of documents containing confidential, sensitive, proprietary, commercial, business and financial information. Plaintiff further objects to this request to the extent that it seeks documents protected by attorney-client privilege or the work-product doctrine.

Subject to and without waiving the foregoing objections, Plaintiff responds as follows: Plaintiff will make all relevant, non-privileged responsive documents available for inspection under mutually agreeable terms, following entry of a mutually agreeable protective order.

REQUEST FOR PRODUCTION NO. 28:

Any and all DOCUMENTS which refer, reflect or relate to any technological measure that YOU have taken to stop the use of "automatic devices" on the ticketmaster.com website.

RESPONSE TO REQUEST FOR PRODUCTION NO. 28:

Plaintiff incorporates by reference each and every one of the General Responses and Objections as though fully set forth herein. Plaintiff further objects to this request because it seeks information neither relevant to the subject matter of this litigation nor reasonably calculated to lead to the discovery of admissible evidence. Plaintiff further objects to this request on the ground that it is overbroad, unduly burdensome and oppressive. Plaintiff further objects to this request on the ground that it seeks the production of documents containing confidential, sensitive,

1 proprietary, commercial, business and financial information. Plaintiff further
2 objects to this request to the extent that it seeks documents protected by attorney-
3 client privilege or the work-product doctrine.

4 Subject to and without waiving the foregoing objections, Plaintiff responds
5 as follows: Plaintiff will make all relevant, non-privileged responsive documents
6 available for inspection under mutually agreeable terms, following entry of a
7 mutually agreeable protective order.

8
9 **REQUEST FOR PRODUCTION NO. 29:**

10 Any and all DOCUMENTS which refer, reflect or relate to any technological
11 measure that YOU have taken to stop the use of "automated processes" on the
12 ticketmaster.com website.

13 **RESPONSE TO REQUEST FOR PRODUCTION NO. 29:**

14 Plaintiff incorporates by reference each and every one of the General
15 Responses and Objections as though fully set forth herein. Plaintiff further objects
16 to this request because it seeks information neither relevant to the subject matter of
17 this litigation nor reasonably calculated to lead to the discovery of admissible
18 evidence. Plaintiff further objects to this request on the ground that it is overbroad,
19 unduly burdensome and oppressive. Plaintiff further objects to this request on the
20 ground that it seeks the production of documents containing confidential, sensitive,
21 proprietary, commercial, business and financial information. Plaintiff further
22 objects to this request to the extent that it seeks documents protected by attorney-
23 client privilege or the work-product doctrine.

24 Subject to and without waiving the foregoing objections, Plaintiff responds
25 as follows: Plaintiff will make all relevant, non-privileged responsive documents
26 available for inspection under mutually agreeable terms, following entry of a
27 mutually agreeable protective order.

REQUEST FOR PRODUCTION NO. 30:

Any and all DOCUMENTS which refer, reflect or relate to any measures YOU took to calculate the actual damages that YOU would incur in the event that a user of ticketmaster.com accessed more than 1,000 pages of the ticketmaster.com website in any twenty four (24) hour period.

RESPONSE TO REQUEST FOR PRODUCTION NO. 30:

Plaintiff incorporates by reference each and every one of the General Responses and Objections as though fully set forth herein. Plaintiff further objects to this request on the ground that it is compound, overbroad, unduly burdensome and oppressive. Plaintiff further objects to this request on the ground that it is vague and ambiguous, including but not limited to the phrase "any measures YOU took". Plaintiff further objects to this request on the ground that it seeks the production of documents containing confidential, sensitive, proprietary, commercial, business and financial information. Plaintiff further objects to this request to the extent that it seeks documents protected by attorney-client privilege or the work-product doctrine.

Subject to and without waiving the foregoing objections, Plaintiff responds as follows: Plaintiff has conducted a diligent search and reasonable inquiry during its effort to comply with this Request and has no non-privileged documents currently within its possession, custody or control that are responsive to this Request.

REQUEST FOR PRODUCTION NO. 31:

Any and all DOCUMENTS which refer, reflect or relate to the identity of any PERSON who performed any calculation on YOUR behalf as to the actual damages that YOU would incur in the event that a user of ticketmaster.com accessed more than 1,000 pages of the ticketmaster.com website in any twenty four (24) hour period.

RESPONSE TO REQUEST FOR PRODUCTION NO. 31:

Plaintiff incorporates by reference each and every one of the General Responses and Objections as though fully set forth herein. Plaintiff further objects to this request on the ground that it is compound, overbroad, unduly burdensome and oppressive. Plaintiff further objects to this request on the ground that it is vague and ambiguous, including but not limited to the phrase "reflect or relate to the identity of". Plaintiff further objects to this request on the ground that it seeks the production of documents containing confidential, sensitive, proprietary, commercial, business and financial information. Plaintiff further objects to this request to the extent that it seeks documents protected by attorney-client privilege or the work-product doctrine.

Subject to and without waiving the foregoing objections, Plaintiff responds as follows: Plaintiff has conducted a diligent search and reasonable inquiry during its effort to comply with this Request and has no non-privileged documents currently within its possession, custody or control that are responsive to this Request.

REQUEST FOR PRODUCTION NO. 32:

Any and all DOCUMENTS which refer, reflect or relate to any monies that YOU have spent on technological measures that YOU have taken to stop the use of spiders, robots, bots, automatic devices or automated processes on the ticketmaster.com website.

RESPONSE TO REQUEST FOR PRODUCTION NO. 32:

Plaintiff incorporates by reference each and every one of the General Responses and Objections as though fully set forth herein. Plaintiff further objects to this request to the extent that it seeks information neither relevant to the subject matter of this litigation nor reasonably calculated to lead to the discovery of admissible evidence. Plaintiff further objects to this request on the ground that it is

1 vague and ambiguous, including but not limited to the phrase “refer, reflect or relate
2 to any monies”. Plaintiff further objects to this request on the ground that it is
3 compound, overbroad, unduly burdensome and oppressive. Plaintiff further objects
4 to this request on the ground that it seeks the production of documents containing
5 confidential, sensitive, proprietary, commercial, business and financial information.
6 Plaintiff further objects to this request to the extent that it seeks documents
7 protected by attorney-client privilege or the work-product doctrine.

8 Subject to and without waiving the foregoing objections, Plaintiff responds
9 as follows: Plaintiff will make all relevant, non-privileged responsive documents
10 available for inspection under mutually agreeable terms, following entry of a
11 mutually agreeable protective order.

12
13 **REQUEST FOR PRODUCTION NO. 33:**

14 Any and all DOCUMENTS which refer, reflect or relate to any PERSON
15 who YOU have employed, either as an employee or an independent contractor, in
16 an attempt to stop the use of spiders, robots, bots, automated devices or automated
17 processes on the ticketmaster.com website.

18 **RESPONSE TO REQUEST FOR PRODUCTION NO. 33:**

19 Plaintiff incorporates by reference each and every one of the General
20 Responses and Objections as though fully set forth herein. Plaintiff further objects
21 to this request on the ground that it is vague and ambiguous, including but not
22 limited to the phrase “employed . . . in an attempt”. Plaintiff further objects to
23 this request to the extent that it lacks foundation. Plaintiff further objects to this
24 request on the ground that it is overbroad, unduly burdensome and oppressive.
25 Plaintiff further objects to this request on the ground that it seeks the production of
26 documents containing confidential, sensitive, proprietary, commercial, business and
27 financial information. Plaintiff further objects to this request on the ground that it
28 violates the right to privacy of a third party. Plaintiff further objects to this request

1 to the extent that it seeks documents protected by attorney-client privilege or the
2 work-product doctrine.

3
4 **REQUEST FOR PRODUCTION NO. 34:**

5 Any and all DOCUMENTS which refer, reflect or relate to any money that
6 you have paid to any PERSON who YOU have employed, either as an employee or
7 an independent contractor, in an attempt to stop the use of spiders, robots, bots,
8 automated devices or automated processes on the ticketmaster.com website.

9 **RESPONSE TO REQUEST FOR PRODUCTION NO. 34:**

10 Plaintiff incorporates by reference each and every one of the General
11 Responses and Objections as though fully set forth herein. Plaintiff further objects
12 to this request on the ground that it is vague and ambiguous, including but not
13 limited to the phrases “refer, reflect or relate to any money” and “employed . . . in
14 an attempt”. Plaintiff further objects to this request to the extent that it lacks
15 foundation. Plaintiff further objects to this request on the ground that it is
16 compound, overbroad, unduly burdensome and oppressive. Plaintiff further objects
17 to this request on the ground that it seeks the production of documents containing
18 confidential, sensitive, proprietary, commercial, business and financial information.
19 Plaintiff further objects to this request on the ground that it violates the right to
20 privacy of a third party. Plaintiff further objects to this request to the extent that it
21 seeks documents protected by attorney-client privilege or the work-product
22 doctrine.

23 Subject to and without waiving the foregoing objections, Plaintiff responds
24 as follows: Plaintiff will make all relevant, non-privileged responsive documents
25 available for inspection under mutually agreeable terms, following entry of a
26 mutually agreeable protective order.

REQUEST FOR PRODUCTION NO. 35:

Any and all DOCUMENTS which refer, reflect or relate to any complaints that any of YOUR CLIENTS have made to YOU regarding the use of spiders, robots, bots, automated devices or automated processes on the ticketmaster.com website.

RESPONSE TO REQUEST FOR PRODUCTION NO. 35:

Plaintiff incorporates by reference each and every one of the General Responses and Objections as though fully set forth herein. Plaintiff further objects to this request on the ground that it is vague and ambiguous, including but not limited to the term "complaints". Plaintiff further objects to this request on the ground that it is compound, overbroad, unduly burdensome and oppressive. Plaintiff further objects to this request on the ground that it seeks the production of documents containing confidential, sensitive, proprietary, commercial, business and financial information. Plaintiff further objects to this request on the ground that it violates the right to privacy of a third party. Plaintiff further objects to this request to the extent that it seeks documents protected by attorney-client privilege or the work-product doctrine.

Subject to and without waiving the foregoing objections, Plaintiff responds as follows: Plaintiff will make all relevant, non-privileged responsive documents available for inspection under mutually agreeable terms, following entry of a mutually agreeable protective order.

REQUEST FOR PRODUCTION NO. 36:

Any and all DOCUMENTS which refer, reflect or relate to any complaints that any of YOUR CLIENTS have made to YOU regarding YOUR inability to distribute tickets in a fair and equitable manner.

RESPONSE TO REQUEST FOR PRODUCTION NO. 36:

Plaintiff incorporates by reference each and every one of the General Responses and Objections as though fully set forth herein. Plaintiff further objects to this request on the ground that it is vague and ambiguous, including but not limited to the term "complaints". Plaintiff further objects to this request on the ground that it is overbroad, unduly burdensome and oppressive. Plaintiff further objects to this request to the extent that it lacks foundation. Plaintiff further objects to this request to the extent that it seeks information neither relevant to the subject matter of this litigation nor reasonably calculated to lead to the discovery of admissible evidence. Plaintiff further objects to this request on the ground that it seeks the production of documents containing confidential, sensitive, proprietary, commercial, business and financial information. Plaintiff further objects to this request on the ground that it violates the right to privacy of a third party. Plaintiff further objects to this request to the extent that it seeks documents protected by attorney-client privilege or the work-product doctrine.

Subject to and without waiving the foregoing objections, Plaintiff responds as follows: Plaintiff will make all relevant, non-privileged responsive documents available for inspection under mutually agreeable terms, following entry of a mutually agreeable protective order.

REQUEST FOR PRODUCTION NO. 37:

Any and all DOCUMENTS which refer, reflect or relate to any complaints that any of YOUR CUSTOMERS have made to YOU regarding YOUR inability to distribute tickets in a fair and equitable manner.

RESPONSE TO REQUEST FOR PRODUCTION NO. 37:

Plaintiff incorporates by reference each and every one of the General Responses and Objections as though fully set forth herein. Plaintiff further objects to this request on the ground that it is vague and ambiguous, including but not

1 limited to the term "complaints". Plaintiff further objects to this request to the
 2 extent that it lacks foundation. Plaintiff further objects to this request to the extent
 3 that it seeks information neither relevant to the subject matter of this litigation nor
 4 reasonably calculated to lead to the discovery of admissible evidence. Plaintiff
 5 further objects to this request on the ground that it is overbroad, unduly burdensome
 6 and oppressive. Plaintiff further objects to this request on the ground that it seeks
 7 the production of documents containing confidential, sensitive, proprietary,
 8 commercial, business and financial information. Plaintiff further objects to this
 9 request on the ground that it violates the right to privacy of a third party. Plaintiff
 10 further objects to this request to the extent that it seeks documents protected by
 11 attorney-client privilege or the work-product doctrine.

12 Subject to and without waiving the foregoing objections, Plaintiff responds
 13 as follows: Plaintiff will make all relevant, non-privileged responsive documents
 14 available for inspection under mutually agreeable terms, following entry of a
 15 mutually agreeable protective order.

16
 17 **REQUEST FOR PRODUCTION NO. 38:**

18 Any and all DOCUMENTS which refer, reflect or relate to the number of
 19 tickets available for retail sale for each concert on the "Hannah Montana & Miley
 20 Cyrus: Best of Both Worlds Tour" from January 1, 2007 through February 2008.

21 **RESPONSE TO REQUEST FOR PRODUCTION NO. 38:**

22 Plaintiff incorporates by reference each and every one of the General
 23 Responses and Objections as though fully set forth herein. Plaintiff further objects
 24 to this request because it seeks information neither relevant to the subject matter of
 25 this litigation nor reasonably calculated to lead to the discovery of admissible
 26 evidence. Plaintiff further objects to this request on the ground that it is vague and
 27 ambiguous, including but not limited to the phrase "number of tickets available for
 28 retail sale". Plaintiff further objects to this request on the ground that it is

1 compound, overbroad, unduly burdensome and oppressive. Plaintiff further objects
2 to this request on the ground that it seeks the production of documents containing
3 confidential, sensitive, proprietary, commercial, business and financial information.
4 Plaintiff further objects to this request to the extent that it seeks documents
5 protected by attorney-client privilege or the work-product doctrine.

6 Subject to and without waiving the foregoing objections, Plaintiff responds
7 as follows: Plaintiff will make all relevant, non-privileged responsive documents
8 available for inspection under mutually agreeable terms, following entry of a
9 mutually agreeable protective order.

10
11 **REQUEST FOR PRODUCTION NO. 39:**

12 Any and all DOCUMENTS which refer, reflect or relate to the number of
13 tickets available for retail sale to fan club members for each concert on the "Hannah
14 Montana & Miley Cyrus: Best of Both Worlds Tour" from January 1, 2007 through
15 February 2008.

16 **RESPONSE TO REQUEST FOR PRODUCTION NO. 39:**

17 Plaintiff incorporates by reference each and every one of the General
18 Responses and Objections as though fully set forth herein. Plaintiff further objects
19 to this request because it seeks information neither relevant to the subject matter of
20 this litigation nor reasonably calculated to lead to the discovery of admissible
21 evidence. Plaintiff further objects to this request on the ground that it is vague and
22 ambiguous, including but not limited to the phrase "number of tickets available for
23 retail sale". Plaintiff further objects to this request on the ground that it is
24 compound, overbroad, unduly burdensome and oppressive. Plaintiff further objects
25 to this request on the ground that it seeks the production of documents containing
26 confidential, sensitive, proprietary, commercial, business and financial information.
27 Plaintiff further objects to this request to the extent that it seeks documents
28 protected by attorney-client privilege or the work-product doctrine.

1 Subject to and without waiving the foregoing objections, Plaintiff responds
2 as follows: Plaintiff will make all relevant, non-privileged responsive documents
3 available for inspection under mutually agreeable terms, following entry of a
4 mutually agreeable protective order.

5
6 **REQUEST FOR PRODUCTION NO. 40:**

7 Any and all DOCUMENTS which refer, reflect or relate to the number of
8 tickets available for retail sale to the general public for each concert on the “Hannah
9 Montana & Miley Cyrus: Best of Both Worlds Tour” from January 1, 2007 through
10 February 2008.

11 **RESPONSE TO REQUEST FOR PRODUCTION NO. 40:**

12 Plaintiff incorporates by reference each and every one of the General
13 Responses and Objections as though fully set forth herein. Plaintiff further objects
14 to this request because it seeks information neither relevant to the subject matter of
15 this litigation nor reasonably calculated to lead to the discovery of admissible
16 evidence. Plaintiff further objects to this request on the ground that it is vague and
17 ambiguous, including but not limited to the phrases “number of tickets available for
18 retail sale” and “general public”. Plaintiff further objects to this request on the
19 ground that it is compound, overbroad, unduly burdensome and oppressive.
20 Plaintiff further objects to this request on the ground that it seeks the production of
21 documents containing confidential, sensitive, proprietary, commercial, business and
22 financial information. Plaintiff further objects to this request to the extent that it
23 seeks documents protected by attorney-client privilege or the work-product
24 doctrine.

25 Subject to and without waiving the foregoing objections, Plaintiff responds
26 as follows: Plaintiff will make all relevant, non-privileged responsive documents
27 available for inspection under mutually agreeable terms, following entry of a
28 mutually agreeable protective order.

1
2 **REQUEST FOR PRODUCTION NO. 41:**

3 Any and all DOCUMENTS which refer, reflect or relate to the number of
4 tickets retained by Miley Cyrus for each concert on the "Hannah Montana & Miley
5 Cyrus: Best of Both Worlds Tour" from January 1, 2007 through February 2008.

6 **RESPONSE TO REQUEST FOR PRODUCTION NO. 41:**

7 Plaintiff incorporates by reference each and every one of the General
8 Responses and Objections as though fully set forth herein. Plaintiff further objects
9 to this request because it seeks information neither relevant to the subject matter of
10 this litigation nor reasonably calculated to lead to the discovery of admissible
11 evidence. Plaintiff further objects to this request on the ground that it is vague and
12 ambiguous, including but not limited to the term "retained". Plaintiff further
13 objects to this request on the ground that it is compound, overbroad, unduly
14 burdensome and oppressive. Plaintiff further objects to this request on the ground
15 that it seeks the production of documents containing confidential, sensitive,
16 proprietary, commercial, business and financial information. Plaintiff further
17 objects to this request to the extent that it seeks documents protected by attorney-
18 client privilege or the work-product doctrine.

19 Subject to and without waiving the foregoing objections, Plaintiff responds
20 as follows: Plaintiff has conducted a diligent search and reasonable inquiry during
21 its effort to comply with this Request and has no documents currently within its
22 possession, custody or control that are responsive to this Request.

23
24 **REQUEST FOR PRODUCTION NO. 42:**

25 Any and all DOCUMENTS which refer, reflect or relate to the number of
26 tickets retained by the promoters of the "Hannah Montana & Miley Cyrus: Best of
27 Both Worlds Tour" for all concerts of the tour from January 1, 2007 through
28 February 2008.

1 **RESPONSE TO REQUEST FOR PRODUCTION NO. 42:**

2 Plaintiff incorporates by reference each and every one of the General
3 Responses and Objections as though fully set forth herein. Plaintiff further objects
4 to this request because it seeks information neither relevant to the subject matter of
5 this litigation nor reasonably calculated to lead to the discovery of admissible
6 evidence. Plaintiff further objects to this request on the ground that it is vague and
7 ambiguous, including but not limited to the term "retained". Plaintiff further
8 objects to this request on the ground that it is compound, overbroad, unduly
9 burdensome and oppressive. Plaintiff further objects to this request on the ground
10 that it seeks the production of documents containing confidential, sensitive,
11 proprietary, commercial, business and financial information. Plaintiff further
12 objects to this request to the extent that it seeks documents protected by attorney-
13 client privilege or the work-product doctrine.

14 Subject to and without waiving the foregoing objections, Plaintiff responds
15 as follows: Plaintiff has conducted a diligent search and reasonable inquiry during
16 its effort to comply with this Request and has no documents currently within its
17 possession, custody or control that are responsive to this Request.

18
19 **REQUEST FOR PRODUCTION NO. 43:**

20 Any and all DOCUMENTS which refer, reflect or relate to the number of
21 tickets retained by the venues where the "Hannah Montana & Miley Cyrus: Best of
22 Both Worlds Tour" occurred for all concerts of the tour from January 1, 2007
23 through February 2008.

24 **RESPONSE TO REQUEST FOR PRODUCTION NO. 43:**

25 Plaintiff incorporates by reference each and every one of the General
26 Responses and Objections as though fully set forth herein. Plaintiff further objects
27 to this request because it seeks information neither relevant to the subject matter of
28 this litigation nor reasonably calculated to lead to the discovery of admissible

1 evidence. Plaintiff further objects to this request on the ground that it is vague and
2 ambiguous, including but not limited to the term "retained". Plaintiff further
3 objects to this request on the ground that it is compound, overbroad, unduly
4 burdensome and oppressive. Plaintiff further objects to this request on the ground
5 that it seeks the production of documents containing confidential, sensitive,
6 proprietary, commercial, business and financial information. Plaintiff further
7 objects to this request to the extent that it seeks documents protected by attorney-
8 client privilege or the work-product doctrine.

9 Subject to and without waiving the foregoing objections, Plaintiff responds
10 as follows: Plaintiff has conducted a diligent search and reasonable inquiry during
11 its effort to comply with this Request and has no documents currently within its
12 possession, custody or control that are responsive to this Request.

13
14 **REQUEST FOR PRODUCTION NO. 44:**

15 Any and all DOCUMENTS which refer, reflect or relate to all tickets to the
16 "Hannah Montana & Miley Cyrus: Best of Both Worlds Tour" which YOU sold on
17 the auction portion of the ticketmaster.com website from January 1, 2007 to
18 present.

19 **RESPONSE TO REQUEST FOR PRODUCTION NO. 44:**

20 Plaintiff incorporates by reference each and every one of the General
21 Responses and Objections as though fully set forth herein. Plaintiff further objects
22 to this request because it seeks information neither relevant to the subject matter of
23 this litigation nor reasonably calculated to lead to the discovery of admissible
24 evidence. Plaintiff further objects to this request on the ground that it is overbroad,
25 unduly burdensome and oppressive. Plaintiff further objects to this request on the
26 ground that it seeks the production of documents containing confidential, sensitive,
27 proprietary, commercial, business and financial information. Plaintiff further
28 objects to this request to the extent that it seeks documents protected by attorney-

1 client privilege or the work-product doctrine. Plaintiff further objects to this
2 request on the grounds that it is premature at this time, given Plaintiff's pending
3 motion to dismiss Defendant's counter-claim.

4 Subject to and without waiving the foregoing objections, Plaintiff responds
5 as follows: Plaintiff will make all relevant, non-privileged responsive documents
6 available for inspection under mutually agreeable terms, following entry of a
7 mutually agreeable protective order.

8
9 **REQUEST FOR PRODUCTION NO. 45:**

10 Any and all DOCUMENTS which refer, reflect or relate to the price of each
11 ticket to the "Hannah Montana & Miley Cyrus: Best of Both Worlds Tour" which
12 YOU sold on the auction portion of the ticketmaster.com website from January 1,
13 2007 to present.

14 **RESPONSE TO REQUEST FOR PRODUCTION NO. 45:**

15 Plaintiff incorporates by reference each and every one of the General
16 Responses and Objections as though fully set forth herein. Plaintiff further objects
17 to this request because it seeks information neither relevant to the subject matter of
18 this litigation nor reasonably calculated to lead to the discovery of admissible
19 evidence. Plaintiff further objects to this request on the ground that it is overbroad,
20 unduly burdensome and oppressive. Plaintiff further objects to this request on the
21 ground that it seeks the production of documents containing confidential, sensitive,
22 proprietary, commercial, business and financial information. Plaintiff further
23 objects to this request to the extent that it seeks documents protected by attorney-
24 client privilege or the work-product doctrine.

25 Subject to and without waiving the foregoing objections, Plaintiff responds
26 as follows: Plaintiff will make all relevant, non-privileged responsive documents
27 available for inspection under mutually agreeable terms, following entry of a
28 mutually agreeable protective order.

REQUEST FOR PRODUCTION NO. 46:

Any and all DOCUMENTS which refer, reflect or relate to all tickets to the “Hannah Montana & Miley Cyrus: Best of Both Worlds Tour” which were sold on TicketExchange portion of the ticketmaster.com website from January 1, 2007 to present.

RESPONSE TO REQUEST FOR PRODUCTION NO. 46:

Plaintiff incorporates by reference each and every one of the General Responses and Objections as though fully set forth herein. Plaintiff further objects to this request because it seeks information neither relevant to the subject matter of this litigation nor reasonably calculated to lead to the discovery of admissible evidence. Plaintiff further objects to this request on the ground that it is overbroad, unduly burdensome and oppressive. Plaintiff further objects to this request on the ground that it seeks the production of documents containing confidential, sensitive, proprietary, commercial, business and financial information. Plaintiff further objects to this request to the extent that it seeks documents protected by attorney-client privilege or the work-product doctrine. Plaintiff further objects to this request on the grounds that it is premature, given Plaintiff’s pending motion to dismiss Defendant’s counterclaim.

REQUEST FOR PRODUCTION NO. 47:

Any and all DOCUMENTS which refer, reflect or relate to all convenience charges YOU were paid as a result of sales on the TicketExchange portion of the ticketmaster.com website for the “Hannah Montana & Miley Cyrus: Best of Both Worlds Tour” from January 1, 2007 to present.

RESPONSE TO REQUEST FOR PRODUCTION NO. 47:

Plaintiff incorporates by reference each and every one of the General Responses and Objections as though fully set forth herein. Plaintiff further objects

1 to this request because it seeks information neither relevant to the subject matter of
2 this litigation nor reasonably calculated to lead to the discovery of admissible
3 evidence. Plaintiff further objects to this request on the ground that it is overbroad,
4 unduly burdensome and oppressive. Plaintiff further objects to this request on the
5 ground that it seeks the production of documents containing confidential, sensitive,
6 proprietary, commercial, business and financial information. Plaintiff further
7 objects to this request to the extent that it seeks documents protected by attorney-
8 client privilege or the work-product doctrine. Plaintiff further objects to this
9 request on the grounds that it is premature, given Plaintiff's pending motion to
10 dismiss Defendant's counterclaim.

11
12 **REQUEST FOR PRODUCTION NO. 48:**

13 Any and all DOCUMENTS which refer, reflect or relate to any agreements
14 you had with any PERSON to sell tickets to the "Hannah Montana & Miley Cyrus:
15 Best of Both Worlds Tour."

16 **RESPONSE TO REQUEST FOR PRODUCTION NO. 48:**

17 Plaintiff incorporates by reference each and every one of the General
18 Responses and Objections as though fully set forth herein. Plaintiff further objects
19 to this request because it seeks information neither relevant to the subject matter of
20 this litigation nor reasonably calculated to lead to the discovery of admissible
21 evidence. Plaintiff further objects to this request on the ground that it is overbroad,
22 unduly burdensome and oppressive. Plaintiff further objects to this request on the
23 ground that it seeks the production of documents containing confidential, sensitive,
24 proprietary, commercial, business and financial information. Plaintiff further
25 objects to this request on the ground that it violates the right to privacy of a third
26 party. Plaintiff further objects to this request to the extent that it seeks documents
27 protected by attorney-client privilege or the work-product doctrine.

1 **REQUEST FOR PRODUCTION NO. 49:**

2 Any and all DOCUMENTS which refer, reflect or relate to any tickets
3 purchased by or on behalf of Thomas J. Prior on the ticketmaster.com website from
4 February 1, 2007 to present.

5 **RESPONSE TO REQUEST FOR PRODUCTION NO. 49:**

6 Plaintiff incorporates by reference each and every one of the General
7 Responses and Objections as though fully set forth herein. Plaintiff further objects
8 to this request to the extent that it seeks information neither relevant to the subject
9 matter of this litigation nor reasonably calculated to lead to the discovery of
10 admissible evidence. Plaintiff further objects to this request on the ground that it is
11 overbroad, unduly burdensome and oppressive. Plaintiff further objects to this
12 request on the ground that it seeks the production of documents containing
13 confidential, sensitive, proprietary, commercial, business and financial information.
14 Plaintiff further objects to this request on the ground that it violates the right to
15 privacy of a third party. Plaintiff further objects to this request to the extent that it
16 seeks documents protected by attorney-client privilege or the work-product
17 doctrine.

18 Subject to and without waiving the foregoing objections, Plaintiff responds
19 as follows: Plaintiff will make all relevant, non-privileged responsive documents
20 available for inspection under mutually agreeable terms, following entry of a
21 mutually agreeable protective order.

22
23 **REQUEST FOR PRODUCTION NO. 50:**

24 Any and all DOCUMENTS which refer, reflect or relate to any tickets
25 purchased by or on behalf of Gary Charles Bonner on the ticketmaster.com website
26 from February 1, 2007 to present.

1 **RESPONSE TO REQUEST FOR PRODUCTION NO. 50:**

2 Plaintiff incorporates by reference each and every one of the General
3 Responses and Objections as though fully set forth herein. Plaintiff further objects
4 to this request to the extent that it seeks information neither relevant to the subject
5 matter of this litigation nor reasonably calculated to lead to the discovery of
6 admissible evidence. Plaintiff further objects to this request on the ground that it is
7 overbroad, unduly burdensome and oppressive. Plaintiff further objects to this
8 request on the ground that it seeks the production of documents containing
9 confidential, sensitive, proprietary, commercial, business and financial information.
10 Plaintiff further objects to this request on the ground that it violates the right to
11 privacy of a third party. Plaintiff further objects to this request to the extent that it
12 seeks documents protected by attorney-client privilege or the work-product
13 doctrine.

14 Subject to and without waiving the foregoing objections, Plaintiff responds
15 as follows: Plaintiff will make all relevant, non-privileged responsive documents
16 available for inspection under mutually agreeable terms, following entry of a
17 mutually agreeable protective order.

18
19 **REQUEST FOR PRODUCTION NO. 51:**

20 Any and all DOCUMENTS which refer, reflect or relate to any tickets
21 purchased by or on behalf of Designer Tickets on the ticketmaster.com website
22 from February 1, 2007 to present.

23 **RESPONSE TO REQUEST FOR PRODUCTION NO. 51:**

24 Plaintiff incorporates by reference each and every one of the General
25 Responses and Objections as though fully set forth herein. Plaintiff further objects
26 to this request to the extent that it seeks information neither relevant to the subject
27 matter of this litigation nor reasonably calculated to lead to the discovery of
28 admissible evidence. Plaintiff further objects to this request on the ground that it is

1 overbroad, unduly burdensome and oppressive. Plaintiff further objects to this
2 request on the ground that it seeks the production of documents containing
3 confidential, sensitive, proprietary, commercial, business and financial information.
4 Plaintiff further objects to this request on the ground that it violates the right to
5 privacy of a third party. Plaintiff further objects to this request to the extent that it
6 seeks documents protected by attorney-client privilege or the work-product
7 doctrine.

8
9 **REQUEST FOR PRODUCTION NO. 52:**

10 Any and all DOCUMENTS which refer, reflect or relate to any
11 communications that YOU have had with Barry's Tickets, located in Los Angeles,
12 California, regarding the possible sale of the Barry's Tickets business to YOU.

13 **RESPONSE TO REQUEST FOR PRODUCTION NO. 52:**

14 Plaintiff incorporates by reference each and every one of the General
15 Responses and Objections as though fully set forth herein. Plaintiff further objects
16 to this request because it seeks information neither relevant to the subject matter of
17 this litigation nor reasonably calculated to lead to the discovery of admissible
18 evidence. Plaintiff further objects to this request on the ground that it lacks
19 foundation. Plaintiff further objects to this request on the ground that it violates the
20 right to privacy of a third party. Plaintiff further objects to this request on the
21 grounds that it is premature, given Plaintiff's pending motion to dismiss
22 Defendant's counterclaim.

23
24 **REQUEST FOR PRODUCTION NO. 53:**

25 Any and all DOCUMENTS which refer, reflect or relate to any
26 communications that YOU have had with Sea Coast Ticket Agency, Inc. located in
27 Portsmouth, New Hampshire, regarding the possible sale of the Sea Coast Ticket
28 Agency business to YOU.

1 **RESPONSE TO REQUEST FOR PRODUCTION NO. 53:**

2 Plaintiff incorporates by reference each and every one of the General
3 Responses and Objections as though fully set forth herein. Plaintiff further objects
4 to this request because it seeks information neither relevant to the subject matter of
5 this litigation nor reasonably calculated to lead to the discovery of admissible
6 evidence. Plaintiff further objects to this request on the ground that it lacks
7 foundation. Plaintiff further objects to this request on the ground that it violates the
8 right to privacy of a third party. Plaintiff further objects to this request on the
9 grounds that it is premature, given Plaintiff's pending motion to dismiss
10 Defendant's counterclaim.

11
12 **REQUEST FOR PRODUCTION NO. 54:**

13 Any and all DOCUMENTS which refer, reflect or relate to any
14 communications that YOU have had with Total Travel and Tickets in Florida
15 regarding the possible sale of the Total Travel and Tickets business to YOU.

16 **RESPONSE TO REQUEST FOR PRODUCTION NO. 54:**

17 Plaintiff incorporates by reference each and every one of the General
18 Responses and Objections as though fully set forth herein. Plaintiff further objects
19 to this request because it seeks information neither relevant to the subject matter of
20 this litigation nor reasonably calculated to lead to the discovery of admissible
21 evidence. Plaintiff further objects to this request on the ground that it lacks
22 foundation. Plaintiff further objects to this request on the ground that it violates the
23 right to privacy of a third party. Plaintiff further objects to this request on the
24 grounds that it is premature, given Plaintiff's pending motion to dismiss
25 Defendant's counterclaim.

REQUEST FOR PRODUCTION NO. 55:

Any and all DOCUMENTS which refer, reflect or relate to any communications that YOU have had with Admit One, located in New York, new York regarding the possible sale of the Admit One business to YOU.

RESPONSE TO REQUEST FOR PRODUCTION NO. 55:

Plaintiff incorporates by reference each and every one of the General Responses and Objections as though fully set forth herein. Plaintiff further objects to this request because it seeks information neither relevant to the subject matter of this litigation nor reasonably calculated to lead to the discovery of admissible evidence. Plaintiff further objects to this request on the ground that it lacks foundation. Plaintiff further objects to this request on the ground that it violates the right to privacy of a third party. Plaintiff further objects to this request on the grounds that it is premature, given Plaintiff's pending motion to dismiss Defendant's counterclaim.

REQUEST FOR PRODUCTION NO. 56:

Any and all DOCUMENTS which refer, reflect or relate to any communications that YOU have had with As Off Music regarding the possible sale of the As Off Music business to YOU.

RESPONSE TO REQUEST FOR PRODUCTION NO. 56:

Plaintiff incorporates by reference each and every one of the General Responses and Objections as though fully set forth herein. Plaintiff further objects to this request because it seeks information neither relevant to the subject matter of this litigation nor reasonably calculated to lead to the discovery of admissible evidence. Plaintiff further objects to this request on the ground that it lacks foundation. Plaintiff further objects to this request on the ground that it violates the right to privacy of a third party. Plaintiff further objects to this request on the

1 grounds that it is premature, given Plaintiff's pending motion to dismiss
2 Defendant's counterclaim.

3
4 **REQUEST FOR PRODUCTION NO. 57:**

5 Any and all DOCUMENTS which refer, reflect or relate to any tickets that
6 YOU have sold to Barry's Tickets in Los Angeles, California from January 1, 2007
7 to present.

8 **RESPONSE TO REQUEST FOR PRODUCTION NO. 57:**

9 Plaintiff incorporates by reference each and every one of the General
10 Responses and Objections as though fully set forth herein. Plaintiff further objects
11 to this request because it seeks information neither relevant to the subject matter of
12 this litigation nor reasonably calculated to lead to the discovery of admissible
13 evidence. Plaintiff further objects to this request to the extent that it lacks
14 foundation. Plaintiff further objects to this request on the ground that it violates the
15 right to privacy of a third party. Plaintiff further objects to this request on the
16 grounds that it is premature, given Plaintiff's pending motion to dismiss
17 Defendant's counterclaim.

18
19 **REQUEST FOR PRODUCTION NO. 58:**

20 Any and all DOCUMENTS which refer, reflect or relate to any
21 complementary tickets that YOU have given to Barry's Tickets in Los Angeles,
22 California from January 1, 2007 to present.

23 **RESPONSE TO REQUEST FOR PRODUCTION NO. 58:**

24 Plaintiff incorporates by reference each and every one of the General
25 Responses and Objections as though fully set forth herein. Plaintiff further objects
26 to this request because it seeks information neither relevant to the subject matter of
27 this litigation nor reasonably calculated to lead to the discovery of admissible
28 evidence. Plaintiff further objects to this request to the extent that it lacks

1 foundation. Plaintiff further objects to this request on the ground that it violates the
2 right to privacy of a third party. Plaintiff further objects to this request on the
3 grounds that it is premature, given Plaintiff's pending motion to dismiss
4 Defendant's counterclaim.

5
6 **REQUEST FOR PRODUCTION NO. 59:**

7 Any and all DOCUMENTS which refer, reflect or relate to any tickets that
8 YOU have sold to Sea Coast Ticket Agency, located in Portsmouth, New
9 Hampshire from January 1, 2007 to present.

10 **RESPONSE TO REQUEST FOR PRODUCTION NO. 59:**

11 Plaintiff incorporates by reference each and every one of the General
12 Responses and Objections as though fully set forth herein. Plaintiff further objects
13 to this request because it seeks information neither relevant to the subject matter of
14 this litigation nor reasonably calculated to lead to the discovery of admissible
15 evidence. Plaintiff further objects to this request to the extent that it lacks
16 foundation. Plaintiff further objects to this request on the ground that it violates the
17 right to privacy of a third party. Plaintiff further objects to this request on the
18 grounds that it is premature, given Plaintiff's pending motion to dismiss
19 Defendant's counterclaim.

20
21 **REQUEST FOR PRODUCTION NO. 60:**

22 Any and all DOCUMENTS which refer, reflect or relate to any
23 complementary tickets that YOU have given to Sea Coast Ticket Agency, located in
24 Portsmouth, New Hampshire from January 1, 2007 to present.

25 **RESPONSE TO REQUEST FOR PRODUCTION NO. 60:**

26 Plaintiff incorporates by reference each and every one of the General
27 Responses and Objections as though fully set forth herein. Plaintiff further objects
28 to this request because it seeks information neither relevant to the subject matter of

1 this litigation nor reasonably calculated to lead to the discovery of admissible
2 evidence. Plaintiff further objects to this request to the extent that it lacks
3 foundation. Plaintiff further objects to this request on the ground that it violates the
4 right to privacy of a third party. Plaintiff further objects to this request on the
5 grounds that it is premature, given Plaintiff's pending motion to dismiss
6 Defendant's counterclaim.

7
8 **REQUEST FOR PRODUCTION NO. 61:**

9 Any and all DOCUMENTS which refer, reflect or relate to any tickets that
10 YOU have sold to Total Travel and Tickets, located in Florida, from January 1,
11 2007 to present.

12 **RESPONSE TO REQUEST FOR PRODUCTION NO. 61:**

13 Plaintiff incorporates by reference each and every one of the General
14 Responses and Objections as though fully set forth herein. Plaintiff further objects
15 to this request because it seeks information neither relevant to the subject matter of
16 this litigation nor reasonably calculated to lead to the discovery of admissible
17 evidence. Plaintiff further objects to this request to the extent that it lacks
18 foundation. Plaintiff further objects to this request on the ground that it violates the
19 right to privacy of a third party. Plaintiff further objects to this request on the
20 grounds that it is premature, given Plaintiff's pending motion to dismiss
21 Defendant's counterclaim.

22
23 **REQUEST FOR PRODUCTION NO. 62:**

24 Any and all DOCUMENTS which refer, reflect or relate to any
25 complementary tickets that YOU have given to Total Travel and Tickets, located in
26 Florida from January 1, 2007 to present.

1 **RESPONSE TO REQUEST FOR PRODUCTION NO. 62:**

2 Plaintiff incorporates by reference each and every one of the General
3 Responses and Objections as though fully set forth herein. Plaintiff further objects
4 to this request because it seeks information neither relevant to the subject matter of
5 this litigation nor reasonably calculated to lead to the discovery of admissible
6 evidence. Plaintiff further objects to this request to the extent that it lacks
7 foundation. Plaintiff further objects to this request on the ground that it violates the
8 right to privacy of a third party. Plaintiff further objects to this request on the
9 grounds that it is premature, given Plaintiff's pending motion to dismiss
10 Defendant's counterclaim.

11
12 **REQUEST FOR PRODUCTION NO. 63:**

13 Any and all DOCUMENTS which refer, reflect or relate to any tickets that
14 YOU have sold to Admit One, located in New York, from January 1, 2007 to
15 present.

16 **RESPONSE TO REQUEST FOR PRODUCTION NO. 63:**

17 Plaintiff incorporates by reference each and every one of the General
18 Responses and Objections as though fully set forth herein. Plaintiff further objects
19 to this request because it seeks information neither relevant to the subject matter of
20 this litigation nor reasonably calculated to lead to the discovery of admissible
21 evidence. Plaintiff further objects to this request to the extent that it lacks
22 foundation. Plaintiff further objects to this request on the ground that it violates the
23 right to privacy of a third party. Plaintiff further objects to this request on the
24 grounds that it is premature, given Plaintiff's pending motion to dismiss
25 Defendant's counterclaim.

REQUEST FOR PRODUCTION NO. 64:

Any and all DOCUMENTS which refer, reflect or relate to any complementary tickets that YOU have given to Admit One, located in New York, from January 1, 2007 to present.

RESPONSE TO REQUEST FOR PRODUCTION NO. 64:

Plaintiff incorporates by reference each and every one of the General Responses and Objections as though fully set forth herein. Plaintiff further objects to this request because it seeks information neither relevant to the subject matter of this litigation nor reasonably calculated to lead to the discovery of admissible evidence. Plaintiff further objects to this request to the extent that it lacks foundation. Plaintiff further objects to this request on the ground that it violates the right to privacy of a third party. Plaintiff further objects to this request on the grounds that it is premature, given Plaintiff's pending motion to dismiss Defendant's counterclaim.

REQUEST FOR PRODUCTION NO. 65:

Any and all DOCUMENTS which refer, reflect or relate to any tickets that YOU have sold to As Off Music from January 1, 2007 to present.

RESPONSE TO REQUEST FOR PRODUCTION NO. 65:

Plaintiff incorporates by reference each and every one of the General Responses and Objections as though fully set forth herein. Plaintiff further objects to this request because it seeks information neither relevant to the subject matter of this litigation nor reasonably calculated to lead to the discovery of admissible evidence. Plaintiff further objects to this request to the extent that it lacks foundation. Plaintiff further objects to this request on the ground that it violates the right to privacy of a third party. Plaintiff further objects to this request on the grounds that it is premature, given Plaintiff's pending motion to dismiss Defendant's counterclaim.

REQUEST FOR PRODUCTION NO. 66:

Any and all DOCUMENTS which refer, reflect or relate to any complementary tickets that YOU have given to As Off Music from January 1, 2007 to present.

RESPONSE TO REQUEST FOR PRODUCTION NO. 66:

Plaintiff incorporates by reference each and every one of the General Responses and Objections as though fully set forth herein. Plaintiff further objects to this request because it seeks information neither relevant to the subject matter of this litigation nor reasonably calculated to lead to the discovery of admissible evidence. Plaintiff further objects to this request to the extent that it lacks foundation. Plaintiff further objects to this request on the ground that it violates the right to privacy of a third party. Plaintiff further objects to this request on the grounds that it is premature, given Plaintiff's pending motion to dismiss Defendant's counterclaim.

Dated: January 29, 2008

MANATT, PHELPS & PHILLIPS, LLP
ROBERT H. PLATT
MARK S. LEE
DONALD R. BROWN

By: 

Donald R. Brown
Attorneys for *Plaintiff*
TICKETMASTER L.L.C.

PROOF OF SERVICE

I, Karen K. Pickering, declare:

I am a citizen of the United States and employed in Los Angeles County, California. I am over the age of eighteen years and not a party to the within-entitled action. My business address is 11355 West Olympic Boulevard, Los Angeles, California 90064-1614. On January 29, 2008, I served a copy of the within document(s):

PLAINTIFF TICKETMASTER L.L.C.'S RESPONSES TO RMG TECHNOLOGIES, INC.'S REQUESTS FOR PRODUCTION OF DOCUMENTS (SET ONE).

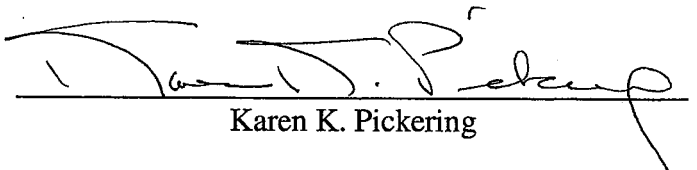
- ☐ by transmitting via facsimile the document(s) listed above to the fax number(s) set forth below on this date before 5:00 p.m.
- ☒ by placing the document(s) listed above in a sealed envelope with postage thereon fully prepaid, in the United States mail at Los Angeles, California addressed as set forth below.
- ☐ by placing the document(s) listed above in a sealed envelope and affixing a pre-paid air bill, and causing the envelope to be delivered to a Golden State Overnight agent for delivery.
- ☐ by personally delivering the document(s) listed above to the person(s) at the address(es) set forth below.
- ☐ by sending an electronic message with attached PDF.

David N. Tarlow, Esq.
Law Offices of Coggan & Tarlow
1925 Century Park East, Suite 2320
Los Angeles, California 90067-2343
Tel. No. (310) 407-0922
Fax No. (310) 407-0923
Email: dnt@cogganlaw.com

I am readily familiar with the firm's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with the U.S. Postal Service on that same day with postage thereon fully prepaid in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing in affidavit.

I declare that I am employed in the office of a member of the bar of this court at whose direction the service was made.

Executed on January 29, 2008, at Los Angeles, California.


Karen K. Pickering